



LINDA S. ADAMS
SECRETARY FOR ENVIRONMENTAL
PROTECTION

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD



ARNOLD SCHWARZENEGGER
GOVERNOR

1001 I STREET, SACRAMENTO, CALIFORNIA 95814 • P.O. BOX 4025, SACRAMENTO, CALIFORNIA 95812-4025
(916) 341-6000 • WWW.CIWMB.CA.GOV

MARGO REID BROWN
CHAIR
MBROWN@CIWMB.CA.GOV
(916) 341-6051

SEP 26 2008

WESLEY CHESBRO
WCHESBRO@CIWMB.CA.GOV
(916) 341-6039

Mr. Keith Winkler, Director
County Health Department
330 Campus Drive
Hanford, CA 93230

ROSALIE MULÉ
RMULE@CIWMB.CA.GOV
(916) 341-6016

Dear Mr. Winkler:

CHERYL PEACE
CPEACE@CIWMB.CA.GOV
(916) 341-6010

On September 17, 2008, the California Integrated Waste Management Board concurred in the modification of Solid Waste Facility Permit, Facility No. **16-AA-0021** for the Kettleman Hills Facility, Kings County. Enclosed is the permit received on August 1, 2008, for your execution.

GARY PETERSEN
GPETERSEN@CIWMB.CA.GOV
(916) 341-6035

Please return a copy of the permit to the Permitting and LEA Support Division once the permit has been issued by your office.

Sincerely,

Mark de Bie, Division Chief
Permitting and LEA Support Division
Waste Compliance and Mitigation Program

Enclosure

:Concurrence-Kettleman Hills Lf



Solid Waste Facility Permit

Facility Number:

16-AA-0021**1. Name and Street Address of Facility:**

Chemical Waste Management, Inc.
Kettleman Hills Facility (MSW
Landfill B-19)
35251 Old Skyline Road
Kettleman City, CA 93239

2. Name and Mailing Address of Operator:

Chemical Waste Management, Inc.
Kettleman Hills Facility
P.O. Box 471
Kettleman City, CA 93239

3. Name and Mailing Address of Owner:

Waste Management, Inc.
1001 Fannin Street
Suite 4000
Houston, TX 77002

4. Specifications:**a. Permitted Operations:**☒ Solid Waste Disposal Site☐ Transfer/Processing Facility (MRF)☐ Composting Facility (Green Material)☐ Transformation Facility☒ Other: Research, Development, and
Demonstration (RD&D)**b. Permitted Hours of Operation:** Reception of waste: 0800 to 1800, Monday through Saturday, and as provided in JTD section 7.1**c. Permitted Maximum Tonnage:**
2000 Tons per Day (TPD) Class II designated waste and Class III MSW *
800 TPD liquid and high moisture content wastes for bioreactor component *
800 TPD Class II soils and ADC for beneficial use *
* See JTD for more detail on specific wastes approved**d. Permitted Traffic Volume:** 168 Vehicles hauling waste, cover material, or materials for beneficial use, entering the facility per day**e. Key Design Parameters (Detailed parameters are shown on site plans bearing EA and CIWMB validations):**

	Total	Disposal	Transfer/Processing	Composting	Transformation
Permitted Area (in acres)	1600	29	N/A	N/A	N/A
Design Capacity (cu. yds)		3,989,300	N/A	N/A	N/A
Max. Elevation (Ft. MSL)		945			
Max. Depth (Ft. MSL)		740			
Estimated Closure Year		2008-2012*			

* Variable, depending on actual rate and volume of settlement achieved from bioreactor operations, and eventual refilling of the recaptured airspace.

Upon a significant change in design or operation from that described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supersede the conditions of any previously issued solid waste facility permit. The Research, Development, and Demonstration (RD&D) components of this permit must be renewed at least every three years and may not exceed 12 years of operation from the date of first liquid addition.

5. Approval:

Approving Officer Signature
Keith Winkler, REHS
Deputy Director, Environmental Health Services

6. Enforcement Agency Name and Address:

Kings County Health Department
Environmental Health Services Division
330 Campus Dr.
Hanford, CA 93230

7. Date Received by CIWMB: AUG 01 2008**8. CIWMB Concurrence Date:** SEP 17 2008**9. Permit Issued Date:****10. Permit Review Due Date:****11. Owner/Operator Transfer Date:**

Solid Waste Facility Permit

Facility Number:

16-AA-0021**12. Legal Description of Facility:**

The legal description of this facility is contained in section 3.2.2 of the Joint Technical Document dated April 2006.

13. Findings:

- a. This permit is consistent with the Kings County Integrated Waste Management Plan, Amendment #1 (Resolution #98-007) which was approved by the Board of Supervisors on February 17, 1998. The location of the facility is identified in the Countywide Siting Element, pursuant to Public Resources Code (PRC), Section 50001(a).
- b. This permit is consistent with the standards adopted by the CIWMB, pursuant to PRC 44010.
- c. The design and operation of the facility is consistent with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the enforcement agency, pursuant to PRC 44009.
- d. The Kings County Fire Department has determined that the facility is in conformance with applicable fire standards, pursuant to PRC 44151.
- e. A Final Subsequent Environmental Impact Report (FSEIR) was filed with the State Clearinghouse (SCH #2003091023) and certified by the Kings County Planning Agency on June 6, 2005. The FSEIR describes and supports the design and operation, which will be authorized by the issuance of this permit. A Notice of Determination was filed with the State Clearinghouse on June 7, 2005.

14. Prohibitions:

The facility is prohibited from accepting or introducing the following wastes:

Hazardous, regulated radioactive, medical (as defined in Chapter 6.1, Division 20 of the Health and Safety Code), designated, or other wastes requiring special treatment or handling, except as identified in the Joint Technical Document and approved amendments thereto and as approved by the enforcement agency and other federal, state, and local agencies.

Additions of extraneous liquids, placement of modified final cover, or other RD&D operations as described in the Joint Technical Document, shall not occur until the USEPA has formally approved California's RD&D rule as being substantially equivalent to and consistent with applicable Federal 40CFR RCRA Subtitle D regulations.

15. The following documents describe and/or restrict the operation of this facility:

	Date		Date
Joint Technical Document	April 2006	Preliminary Closure and Postclosure Maintenance Plan (Last Amended)	April 2006
Waste Discharge Requirements Order No. R5-2006-0122	October 2006	Closure Financial Assurance Documentation (Last Reviewed)	April 2006
APCD Permits to Operate	Various	Operating Liability Certification (Last Reviewed)	April 2006
Final Subsequent Environmental Impact Report (FSEIR) (SCH # 2003091023)	May 2005	Conditional Use Permit #03-06	June 2005
DTSC Hazardous Waste Facility Permit # 02-SAC-03 (See JTD section 2.1.5 for applicable scope)	June 2003		

Solid Waste Facility Permit

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16. Self Monitoring:

The owner/operator shall report the results of all self monitoring programs by filing the reports in the operating record. The filing deadline is within 30 days of the end of the reporting period (*for example, 1st quarter = January – March, the report is due by April 30, etc. Information required on an annual basis shall be submitted with the 4th quarter monitoring report, unless otherwise stated*). Certain reports must also be copied to agencies, as noted below.

Program	Reporting Frequency
a. The types and quantities (in tons) of waste and cover material, by category, including bioreactor liquid wastes and wastes for beneficial use, entering the facility (or used by the facility in the case of cover soils excavated on site) per day.	Monthly
b. Bioreactor-specific monitoring and testing results, as specified in the JTD	As per JTD Table B-1
c. The number of vehicles hauling waste, cover material, or other material of beneficial use entering the facility per day, by load type.	Monthly
d. Results of the hazardous waste load checking program, including the quantities and types of hazardous wastes, medical wastes or otherwise prohibited wastes found in the waste stream and the disposition of these materials.	Monthly
e. Copies of all written complaints regarding this facility and the operator's actions taken to resolve these complaints.	Verbal LEA notification within 24 hours, with a written report within 5 working days
f. Results of the landfill gas monitoring program.	Copy to LEA Quarterly
g. Wet weather preparedness report/winter operations plan.	Annually by November 1
h. Fill sequencing plan for the forthcoming year.	Annually by December 1
i. Remaining site capacity.	Annually by December 1
j. Bioreactor-specific report showing extent of progress towards project goals, including a summary of all monitoring and testing results, and otherwise as specified in the Joint Technical Document.	Copy annually to LEA, CIWMB (and RWQCB), by March 31 (for prior year)
k. Employee training records	Ongoing

Solid Waste Facility Permit

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17. Enforcement Agency (EA) Conditions:

- a. The operator shall comply with all State Minimum Standards for solid waste handling and disposal as specified in Title 27, California Code of Regulations (CCR). RD&D operations specifically must comply with 27CCR 20070, 21595, 21805, and 21835.
- b. The RD&D components of this project are permitted for three years from the date of first liquid addition. Provided specific conditions are met, permitting of the RD&D components may be renewed for successive three year intervals, as described in 27CCR 20070(f), for a total permit time period not to exceed 12 years.
- c. The operator shall maintain a log of special/unusual occurrences. This log shall include, but is not limited to, fires, explosions, the discharge and disposition of hazardous or unpermitted wastes, and significant injuries, accidents or property damage. Each log entry shall be accompanied by a summary of any actions taken by the operator to mitigate the occurrence. The log shall be available to site personnel and the EA at all times.
- d. Additional information concerning the design and operation of the facility shall be furnished upon request and within the time frame specified by the EA.
- e. This permit is subject to review by the EA and may be suspended, revoked, or revised at any time for sufficient cause.
- f. The EA reserves the right to suspend or modify waste receiving and handling operations when deemed necessary due to an emergency, a potential health or environmental hazard, or the creation of a public nuisance.
- g. Any change that would cause the design or operation of the facility not to conform to the terms and conditions of this permit is prohibited. Such a change may be considered a significant change, requiring a permit revision. In no case shall the operator implement any change without first submitting a written notice of the proposed change, in the form of a JTD amendment, to the EA at least 180 days in advance of the change unless otherwise approved by the LEA as allowed by regulation.
- h. Per 27CCR 20070(d), the EA or CIWMB may order an immediate termination of all RD&D related operations as described in the JTD, or other corrective measures, at any time either agency determines the overall goals of the project are not being attained, including protection of public health and safety or the environment.
- i. This permit and its current supporting JTD (within the umbrella of the FSEIR) provide the maximum operational and design parameters for the facility. Condition 17g (above) notwithstanding, operation of the facility at less than those maximums, such as the eventual lack of implementation or operation of the RD&D component of the permit, will not necessitate revision of this permit, unless otherwise required by applicable law or regulation.
- j. As part of their hazardous waste screening program, the facility shall, at a minimum, screen 1% of all incoming loads of solid and liquid waste, ADC, and materials for beneficial use listed in the JTD, if these loads have not been pre-screened or approved through the Special Waste Program described in the JTD. Liquid waste screening may be accomplished by sampling and laboratory analysis.
- k. Landfill gas condensate shall be sampled at least annually to insure that this liquid is not prohibited from introduction into the landfill under section 14, and will not adversely impact the biology or operation of the bioreactor. Results shall be incorporated in the annual report under section 16(j).
- l. A copy of this permit shall be maintained at the facility.

MEMORANDUM

To: Mark Leary
Executive Director
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Date: September 15, 2008

Through: 
Ted Rauh, Program Director
Waste Compliance and Mitigation Program

From:  9/16/08
Mark de Bie, Division Chief
Permitting and Local Enforcement Agency Support Division
Waste Compliance and Mitigation Program

Subject: REQUEST FOR ACTION ON PROPOSED MODIFIED SOLID WASTE
FACILITIES PERMIT FOR THE KETTLEMAN HILLS FACILITY MSW
LANDFILL B-19 (SWIS No. 16-AA-0021) KINGS COUNTY

This memo requests that the Executive Director take action on a proposed Modified Solid Waste Facilities Permit for the Chemical Waste Management, Inc. Kettleman Hills Facility MSW Landfill B-19, SWIS No. 16-AA-0021, located in Kings County. A copy of the proposed permit is attached. The memo provides you with staff's findings and recommendations relative to the proposed action, pursuant to authority granted to the Executive Director by California Code of Regulations (CCR), Title 27, Sections 21663 (a) and 21685 (c). In addition, the Board has delegated to the Executive Director the authority to concur in, or object to, modified solid waste facilities permits (Board Policy No. BL-6, adopted by Resolution 2007-31, February 13, 2007).

An application for proposed modified permit was received by the LEA on June 26, 2008. The Kings County LEA accepted the application as "complete and correct" on July 7, 2008. The proposed permit was completed and sent to CIWMB PLEAS staff electronically (via email) on July 29, 2008, a paper copy was received in the mail by CIWMB staff on August 1, 2008. The Board has 60 days to act on the proposed permit modification. If no action is taken by September 30, 2008, the Executive Director will be deemed to have concurred in the issuance of the proposed modified permit.

Based on our review of the submitted permit package, staff recommends that the Executive Director concur in the issuance of the modified permit and sign below, as all of the required submittals and findings required by Title 27, Section 21685 have been made and the required CEQA findings have been made in support of concurrence. These findings are summarized in the following table. The documents or analysis on which staff's findings are based are in the facility file for the facility. The proposed changes and more details on findings are presented in more detail below.

Proposed Changes

The following changes to the permit are being proposed:

Current	Proposed
Existing permit verbiage states: "The RD&D components of this permit must be renewed every three years and may not exceed 12 years of operation from permit date."	Permit verbiage would be changed to "The Research, Development, and Demolition (RD&D) components of this permit must be renewed at least every three years and may not exceed 12 years of operation from the date of first liquid addition."

This modification would make a nonmaterial change of verbiage that would change the start date of the maximum 12 years on the bio-reactor from the date the permit was issued to the date of the first liquid addition. The JTD will reflect this date once liquid addition occurs. At the time this memo was written, liquid has not yet been added.

Executive Director Findings

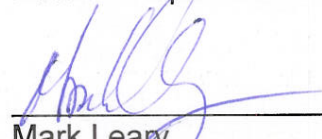
CCR Title 27 Sections	Findings	Acceptable	Unacceptable
21685(b)(1) LEA certified Report of Facility Information	The LEA provided the required certification.	<input checked="" type="checkbox"/>	
21685(b)(2) LEA Five Year Permit Review	The LEA provided the required documentation. [The permit was revised and issued on 8/23/06. The next permit review would be required on 8/23/11. However per conditions in this permit: "The Research, Development, and Demolition (RD&D) components of this permit must be renewed at least every 3 years and may not exceed 12 years of operation from the date of first liquid addition".]	<input checked="" type="checkbox"/>	
21685(b)(3) Solid Waste Facility Permit	The LEA provided all the required documentation	<input checked="" type="checkbox"/>	
21685 (b)(4)(A) or (B) Consistency with PRC 50000.5 or LEA finding relative to PRC 50001	Board staff has found the facility consistent with the Sitting Element.	<input checked="" type="checkbox"/>	
21685(b)(5) Preliminary or Final Closure/ Postclosure Maintenance Plans consistency with State Minimum Standards	Board staff in the Waste Compliance and Mitigation Program have found the Preliminary or Final Closure/ Postclosure Maintenance Plans consistent with State Minimum Standards.	<input checked="" type="checkbox"/>	
21685(b)(6)(A) Financial Assurances Documentation compliance	Board staff in the Waste Compliance and Mitigation Program have found that there is Financial Assurances Documentation and compliance.	<input checked="" type="checkbox"/>	
21685(b)(6)(B) Operating Liability compliance	Board staff in the Waste Compliance and Mitigation Program have found Operating Liability in compliance.	<input checked="" type="checkbox"/>	

CCR Title 27 Sections	Findings	Acceptable	Unacceptable
21685(b)(7) Operations consistent with State Minimum Standards	Board staff in the Waste Compliance and Mitigation Program found that the facility was in compliance with all operating and design requirements during an inspection conducted on 9/9/08.	<input checked="" type="checkbox"/>	
21685(b)(8) LEA CEQA finding	The LEA provided a finding that the proposed permit is consistent with and supported by the existing CEQA documentation.	<input checked="" type="checkbox"/>	
CEQA determination to support responsible agency's findings	Board staff in the Waste Compliance and Mitigation Program found that the proposed permit is consistent with CEQA and supports the ED concurrence in the modified permit.	<input checked="" type="checkbox"/>	

Executive Director Action:

On the basis of the information in this Request for Action on a Modified Solid Waste Facilities Permit and the findings set out above, the Executive Director hereby concurs in the issuance of the proposed Modified Permit.

Dated: September 17, 2008



 Mark Leary,
 Executive Director

Attachment: Proposed Modified Permit 16-AA-0021 dated August 1, 2008

